



THE CITY OF NEW YORK  
**LAW DEPARTMENT**

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Hon. Sylvia O. Hinds-Radix  
Corporation Counsel

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April 5, 2023

**BY ECF**

Honorable Frederic Block  
Senior United States District Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: Keith Harvey v. Letitia James, et al., 23 CV 0393 (FB)(RML)

Dear Judge Block:

I am an attorney in the office of Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York. I submit this letter on behalf of Defendant Melinda Katz, District Attorney for the County of Queens, sued herein in her official capacity.

Defendant Katz writes, in accordance with your Honor's direction at the pre-motion conference held on April 4, 2023, to submit an agreed upon briefing schedule. As discussed Defendant Katz intends to file a motion to dismiss the Complaint pursuant to Federal Rule of Civil Procedure 12(b)(1). Defendant Katz will file the motion to dismiss on or before May 12, 2023. Plaintiff will submit any opposition no later than June 2, 2023. Defendant Katz will submit any reply papers by June 13, 2023.

Respectfully submitted,

A handwritten signature in blue ink that reads "Nicholas Ciappetta".

Nicholas Ciappetta  
Senior Counsel